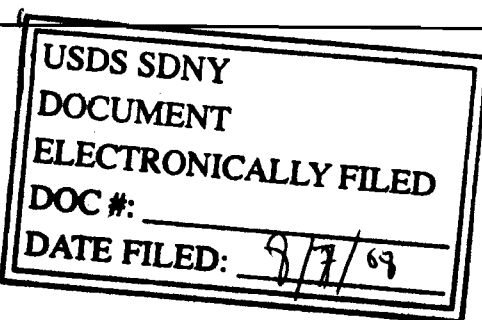




U.S. Department of Justice

MEMO ENDORSED *United States Attorney
Southern District of New York*



*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

August 1, 2008

BY HAND

The Honorable Lewis A. Kaplan
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *United States v. Reynold Orozco,*
S1 08 Cr. 52 (LAK)

Dear Judge Kaplan:

The Government respectfully requests a short adjournment of its time in which to respond to the defendant's motion to suppress certain evidence in the above-referenced matter.

On July 7, 2008, the Court held a conference in the above-referenced matter. At that conference, the Court set a due date for defense motions of July 11, 2008,¹ a due date for Government responses of August 1, 2008, and a due date for the defendant's reply brief of August 8, 2008. The Court also set down 4:00 pm on September 3, 2008 for an argument or conference.

On July 11, 2008, the defendant filed a motion to suppress (1) evidence seized pursuant to a search on May 5, 2008; and (2) the defendant's post-arrest statements. The Government expects that an evidentiary hearing will be required in order to resolve this motion.

The Government and defendant have been involved in disposition negotiations, and believe that there is a significant chance that this case can be disposed of without resort to a suppression hearing, and hope to reach that disposition in the next two weeks.

Accordingly, the Government respectfully requests a two-week extension of time for it to file its response until August 15, 2008, and an adjustment of the defendant's time to reply to

¹ Defense motions were originally due by June 20, 2008. The defendant requested an extension of time, with the Government's consent, which this Court granted on June 3, 2008.

Application Granted.

So Ordered:

[Signature]
U.S.D.J. Part I 8/6/2008

MEMO ENDORSED

Hon. Lewis A. Kaplan
August 1, 2008
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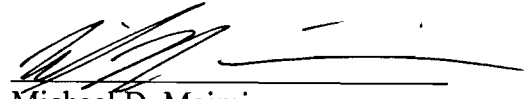
August 22, 2008. Such an extension of time would not affect the timing of the September 3, 2008 conference, at which the parties expect a schedule will be set for a suppression hearing, and therefore will not delay the progress of the prosecution in any way. (The Court has already excluded time through September 3, 2008, and there is an outstanding motion, and so time need not be excluded again).

I have spoken with Avraham Moskowitz, Esq., attorney for Reynold Orozco, who consents to such an extension of time.

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney

By:


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Assistant United States Attorney
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cc: Avraham Moskowitz, Esq. (by fax)